



General Assembly

February Session, 2002

Raised Bill No. 5209

LCO No. 1260

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING REDUCING SULFUR DIOXIDE EMISSIONS AT POWER PLANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) For purposes of this act: (1)
2 "Affected unit" means any emissions unit subject to the provisions of
3 section 22a-174-22b of the Regulations of Connecticut State Agencies,
4 the Post-2002 Nitrogen Oxides Budget Program.

5 (2) "Average emissions rate" means a determination of the rate of
6 SO₂ emissions, measured in pounds of SO₂ per MMBtu, in any
7 calendar quarter from either a single affected unit or from two or more
8 affected units. Average emissions rate for a single unit is calculated by
9 dividing the total quarterly SO₂ emissions, in pounds, from such unit
10 by the total quarterly heat input, in MMBtu, for such unit. Average
11 emissions rate for two or more units is calculated by dividing the total
12 quarterly SO₂ emissions, in pounds, from all such units by the total
13 quarterly heat input, in MMBtu, for all such units.

14 (3) "Calendar quarter" means the period of January first to March
15 thirty-first, inclusive, April first to June thirtieth, inclusive, July first to

16 September thirtieth, inclusive, or October first to December thirty-first,
17 inclusive.

18 (4) "MMBtu" means million BTU of heat input.

19 (5) "Sulfur dioxide" or "SO₂" means a gas that at standard conditions
20 has the molecular form SO₂.

21 (6) "Sulfur Dioxide Discrete Emission Reduction Credit" or "SO₂
22 DERC" means the reduction of one ton of sulfur dioxide at a stationary
23 source during the generation period, which the commissioner has
24 certified in writing as real, quantifiable, surplus, permanent and
25 enforceable. Early reduction credits shall qualify as SO₂ DERCS.

26 (7) "Early reduction credit" means a reduction of SO₂ during
27 calendar years 1999, 2000, 2001 or 2002 below the most stringent SO₂
28 emission rate applicable to an affected unit.

29 (8) "Title IV SO₂ allowance" or "SO₂ allowance" means an
30 authorization allocated to a Title IV source by the Administrator,
31 pursuant to Title IV of the federal Clean Air Act, 42 USC 7651d et seq.
32 and 40 CFR 72, 73, to emit up to one ton of SO₂ during or after a
33 specified calendar year.

34 (8) "Title IV source" means an affected unit that is also subject to
35 Phase II of the acid rain control requirements set forth in Title IV of the
36 federal Clean Air Act, 42 USC 7651d et seq.

37 Sec. 2. (NEW) (*Effective from passage*) (a) On and after January 1,
38 2004, the owner or operator of a Title IV source that is also an affected
39 unit or units shall:

40 (1) Combust liquid fuel, gaseous fuel or a combination of each
41 provided that each fuel possesses a fuel sulfur limit of equal to or less
42 than 0.3 per cent sulfur, by weight (dry basis);

43 (2) Meet an average emission rate of equal to or less than 0.33

44 pounds SO₂ per MMBtu for each calendar quarter for an affected unit
45 at the premises; or

46 (3) Meet an average emission rate of equal to or less than 0.3 pounds
47 SO₂ per MMBtu calculated for each calendar quarter, if such owner or
48 operator averages the emissions from two or more affected units at the
49 premises.

50 (b) On and after January 1, 2004, no owner or operator of a Title IV
51 source that is also an affected unit or units may use SO₂ DERCS or SO₂
52 allowances to comply with the requirements of subsection (a) of this
53 section except if the Commissioner of Environmental Protection
54 requires the owner or operator of an affected unit or units using a low-
55 sulfur fuel to comply with subdivision (1) of subsection (a) of this
56 section to offset excess SO₂ emissions that were emitted during a
57 suspension period, as described in subsection (c) of this section,
58 through such emission reduction trading.

59 (c) The Commissioner of Environmental Protection may suspend
60 the requirements of subdivision (1) of subsection (a) of this section for
61 the owner or operator of any affected unit using a low-sulfur fuel. Such
62 suspension shall be made only when the commissioner finds that the
63 availability of fuel that complies with such requirements is inadequate
64 to meet the needs of residential, commercial and industrial users in
65 this state and that such inadequate supply constitutes an emergency,
66 provided such suspension shall not exceed the period that the
67 inadequate supply constitutes an emergency.

68 (d) The Commissioner of Environmental Protection shall specify in
69 writing the period of time that the suspension described in subsection
70 (c) of this section shall be in effect.

71 (e) Only the provisions contained in this section shall supercede
72 those Regulations of Connecticut State Agencies adopted by the
73 Department of Environmental Protection, as amended from time to
74 time, in accordance with Executive Order Number 19, issued on May

75 17, 2000.

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| This act shall take effect as follows: | |
| Section 1 | <i>from passage</i> |
| Sec. 2 | <i>from passage</i> |

Statement of Purpose:

To reduce sulfur dioxide emissions at power plants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]